

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

WILLIAM G. SUTHERLAND #174449,

Plaintiff,

File No. 2:13-CV-68

v.

HON. ROBERT HOLMES BELL
BADAWI ABDELLATIFF, et al.,

Defendants.

/

**ORDER APPROVING AND ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

On November 7, 2013, United States Magistrate Judge Timothy P. Greeley issued a report and recommendation ("R&R") recommending that Plaintiff's motion for injunctive relief (Mot., ECF No. 27,) be denied. (R&R, ECF No. 29.) Plaintiff filed objections to the R&R on November 21, 2013. (Objs., ECF No. 30.)

This Court is required to make a de novo determination of those portions of the R&R to which specific objection has been made, and may accept, reject, or modify any or all of the Magistrate Judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

Plaintiff's motion requests a preliminary injunction to stop retaliatory shakedowns. The Magistrate Judge determined that Plaintiff failed to establish a substantial likelihood of success on the merits, failed to establish the need for injunctive relief where the Defendants

already have a constitutional obligation under the First Amendment not to commit retaliatory acts, and failed to establish irreparable harm. (R&R 2.) Plaintiff's objection that the R&R fails to mention the policy directive prohibiting searches for the purpose of harassment and requiring searches to be conducted with reasonable care, his objection that the shakedowns exacerbate his existing medical condition, and his objection that a preliminary injunction would help other older and disabled inmates, do not persuade the Court that the Plaintiff has met his heavy burden of establishing the need for injunctive relief. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's objections to the R&R (Dkt. No. 30) are **OVERRULED**.

IT IS FURTHER ORDERED the November 7, 2013, R&R of the Magistrate Judge (Dkt. No. 29) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff's motion for injunctive relief (ECF No. 27) is **DENIED**.

Dated: June 10, 2014

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE